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In re Application of : Veijo Vanttinen et al.  
Serial No. : 10/018,313  
Filing Date : May 9, 2002  
Title : DETERMINATION OF THE POSITION OF A MOBILE  
TERMINAL  
Examiner : Julio Perez  
Group Art Unit : 2681  
Docket No. : NOKIA.4009US  
Customer No. : 43829

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: ROBERT M. BAUER

Transmitted herewith:

Response to Office Action (5 pages)

Lackenbach Siegel, LLP  
Date: December 20, 2005  
Enclosures: (as listed above)Total No. of pages, including this sheet: 6

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DEC 20 2005 Atty. Docket NOKIA.4009US

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December 20, 2005

**RESPONSE TO OFFICE ACTION**

Sir:

Applicants gratefully acknowledge the Office Action dated September 20, 2005. Claims 66-100 and 102-133 are pending in this application. The Office Action rejects all of the pending claims under 35 U.S.C. 103(a) as being obvious over a plurality of prior art patents. Applicants respectfully traverse the obviousness rejections for at least the following reasons, and request that the application be allowed.

**Independent Claims 130-132**

The grounds for the obvious rejection of claims 66-95, 100, 102-124 and 126-132 are set forth in part 3 on pages 2 to 18 of the Office Action. Specifically with respect to independent claims 130, 131, and 132, the claims are rejected as being obvious over the embodiments shown in Figs. 1-4 and described at col. 5, line 66, to col. 9, line 59, of U.S. Patent No. 6,061,346 issued to Nordman (these embodiments hereinafter referred to simply as "Nordman") in view of U.S. Patent No. 6,731,621 issued to Mizutani et al (this patent hereinafter referred to simply as "the

Atty. Docket NOKIA.4009US

Mizutani patent") on pages 2-3 of the Office Action. Applicants respectfully traverse the obviousness rejection of claims 130, 131 and 132 on the grounds that it fails to establish a prima facie case that Nordman suggests each and every one of the combination of features recited in the independent claims, even when Nordman is considered in view of the Mizutani patent.

For example, claim 130 is directed to a network comprising a first station and network element with a dedicated address "for receiving a request from said external element as to the location of the first station" and that "any request received at said dedicated address is a position request." Claims 131 and 132 recite substantially similar features. The first feature was recited in original claim 130 and the second feature was added to claim 130 in the response to the previous Office Action.

The rejection acknowledges that Nordman fails to specifically disclose "for receiving a request from said external element as to the location of the first station, wherein any request received at said dedicated address is a position request." However, the rejection states that the Mizutani patent discloses "a packet gate ways system connected between a mobile communication system and an Internet so that IP sub-networks may be assigned ([citations omitted], the location of the mobile and the IP terminal provided in order for services from servers may be provided to the mobile terminal connected to the wireless IP terminal)" and asserts that it would have been obvious to modify Nordman "for the purpose of providing an execution of IP packet transmission by means of a proficient and secure route within a mobile communications system."

The rationale given for the combination fails to establish that the Mizutani patent would compel one of ordinary skill in the art to modify Nordman so as to include the two features quoted above. Even assuming arguendo that one did indeed modify the mobile communications system in Norman to include "IP packet transmission by means of a proficient and secure route", that would not necessitate that Nordman would then include the two features since those features are not necessary to IP packet transmission by a proficient and secure route.

Since the independent claims are being rejected as being obvious over Nordman in view of the Mizutani patent, the rejection may be construed as implying (it does not state) that Mizutani discloses the features of a first terminal or network element with a dedicated address "for receiving a request from an external element as to the location of the first station" and that

Atty. Docket NOKIA.4009US

"any request received at said dedicated address is a position request. Applicants respectfully submit that these two features are not disclosed in the Mizutani patent.

The rejection does not point to any portion of the Mizutani patent with respect to these two features. It does cite col. 2, lines 66-67; col. 3, lines 1-67; col. 5, lines 34-55; col. 6, lines 20-64; col. 7, lines 34-57; col. 8, lines 20-67; col. 9, lines 1-11 and figures 1-4 and 6-8 of Mizutani, for other reasons. However, Applicants can not find any disclosure of the features of "receiving a request from an external element as to the location of the first station" or that "any request received at said dedicated address is a position request" in these or any other parts of the Mizutani patent.

While Mizutani may disclose a "request for registering a location," such a request is sent from one node to another along with a request for the other node to register a location. This situation occurs when a roaming mobile station moves to a different cell and nodes in the communication network are informed of this change of cells. In other words, these requests for registering a location are made in order to inform nodes in the communication network about the location of a device and are not requests from an external element as to the mobile station's location according to the first feature above that is recited in the claims.

There is also no disclosure in the Mizutani patent of a dedicated address for receiving only position requests. In particular, there is no indication that any of the four ports disclosed at col. 6, lines 25-27, and Fig. 2 of the Mizutani patent are dedicated ports for receiving only position requests. These four ports are described as for connecting with another packet gateway. Furthermore, there is no indication of a dedicated port such that any request received is a position request.

Therefore, even if Nordman was modified in view of the Mizutani patent, it would not result in a network having the features of a dedicated address "for receiving a request from said external element as to the location of the first station" and that "any request received at said dedicated address is a position request". At least for these reasons, applicants respectfully submit that the rejection fails to establish a prima facie case that independent claims 130, 131 and 132 are rendered obvious by the cited prior art.

**Dependent Claims 66-85**

The grounds for the rejection of claim 66 is on pages 3-4 of the Office Action and also relies on the Mizutani patent as suggesting the features of "determining the location of said first station" and "based on said association, providing information on the location of said entity." Applicants respectfully submit that the rejection fails to establish that the Mizutani patent suggests all of the features recited in claim 66. Claims 67-85 are dependent on claim 66 and thus allowable for at least the same reasons as claim 66.

**Dependent Claims 110-113, 119, 120, 128 and 129**

These claims recite additional limitations related to the requests for location information. The rejection relies upon the Mizutani patent for the features recited in these dependent claims and cites a large number of portions of the Mizutani patent. Applicants respectfully submit that the rejection does not establish that the cited portions in the Mizutani patent disclose these additional features.

**Independent Claim 133**

The grounds for the rejection of independent claim 133 appears in part 4 on pages 18-21 of the Office Action. The obviousness rejection in part 4 additionally relies upon U.S. Patent No. 6,671,377 issued to Havinis et al ("the Havinis patent"). Applicants traversed a rejection of similar claim 130 based on the Havinis patent on pages 15-16 of their response to the previous Office Action. Applicants repeat and refer to their previous arguments against the Havinis patent.

Furthermore, the specific grounds of rejection for claim 133 appear on pages 20-21. The grounds of rejection do not indicate how or to what extent it is relying upon the Havinis patent. Applicants thus respectfully traverse the rejection as stated because of the afore mentioned arguments against the Havinis patent.

Atty. Docket NOKIA.4009US

Please charge any fees due in connection with the filing of this Amendment, to Deposit Account No. 02-4270 (Dkt. No. NOKIA.4009US) and please credit any overpayment or excess fees to such deposit account.

Respectfully submitted,



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